

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 455A.5(6), 481A.38, 481A.39, 481A.48(1), 483A.8, 483A.8B, 483A.8C, 483A.24, and 483A.24B, the Natural Resource Commission hereby amends Chapter 106, "Deer Hunting by Residents," Iowa Administrative Code.

Chapter 106 sets regulations for deer hunting by residents and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

The amendments do the following:

1. Close the November antlerless season;
2. Remove four counties from the January antlerless season and reduce the length of the January season by one week;
3. Restrict hunters who purchase one of the 7,500 paid any-deer early muzzleloader licenses from also purchasing a paid antlerless license during either the first or second regular gun season;
4. Specify changes in quota numbers in 21 counties for antlerless deer licenses.

These amendments are being adopted for the following reasons:

1. In 2005, the November season was added and the January antlerless season was lengthened in an attempt to reduce deer numbers. These changes are no longer needed to reach the Department's objectives for the deer population. Thus, the November season is being removed and the January season is being shortened by one week.

2. In 2011, the 7,500 quota for the muzzleloader season was filled in less than four days. Restricting hunters who obtain an early muzzleloader season license from also obtaining an antlerless license for the shotgun season will require hunters to choose which season they prefer. In 2004, and before, hunters had to choose a season in which to participate, and the muzzleloader season took three weeks or longer to fill. Thus, the proposed change will allow those hunters who prefer to hunt only during the muzzleloader season a better opportunity to do so.

3. The changes to the antlerless quotas are designed to stabilize deer numbers in 20 counties where deer numbers have been reduced to the Department's goals and to increase the quota in one county so that deer numbers are reduced to the Department's goals more quickly there.

Notice of Intended Action was published in the Iowa Administrative Bulletin on May 2, 2012, as **ARC 0114C**. A public hearing was held on May 23, 2012. Sixteen comments were received from the public during the comment period, and all but one supported the proposed changes in the antlerless quotas, elimination of the November antlerless season and the shortening of the January antlerless season. Four opposed the change to the early muzzleloader season. No changes were made from the Notice.

These amendments will have a neutral impact on jobs in the state. Even though the Department is seeking a license reduction, there should not be a noticeable change in deer hunting. The quota is designed to keep deer numbers stable and result in similar license sales overall. Thus, the private sector job impact should remain status quo even with this rule making. Importantly, remaining status quo is a very good thing for the state. A study done by the Fish and Wildlife Service shows Iowa's deer season typically generates \$200 million in economic activity. The following types of jobs are positively impacted by deer hunting generally (and should see no noticeable change due to this rule making): hunting equipment retailers (weapons, ammunition, clothing, chairs, stands, binoculars, and other supporting equipment); field guides and outfitters; taxidermists; and restaurants, hotels, and gas stations for hunters traveling around the state.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48(1), 483A.8, 483A.8B, 483A.8C, 483A.24 and 483A.24B.

These amendments will become effective on August 15, 2012.

The following amendments are adopted.

ITEM 1. Rescind and reserve subrule **106.1(5)**.

ITEM 2. Amend subrule 106.1(7) as follows:

106.1(7) *Free and reduced-fee deer licenses for landowners and tenants.* A maximum of one free any-deer license, two free antlerless-deer-only licenses, and two reduced-fee antlerless-deer-only licenses may be issued to a qualifying landowner or eligible family member and a qualifying tenant or eligible family member. Eligibility for licenses is described in 571—106.12(481A). The free any-deer license shall be available for one of the following seasons: the youth/disabled hunter season (if eligible), bow season, early muzzleloader season, late muzzleloader season or first and second regular gun seasons. One free antlerless-deer-only license shall be available for one of the following seasons: youth/disabled hunter season (if eligible), bow season, early muzzleloader season, late muzzleloader season, or first and second regular gun seasons, ~~or November antlerless-deer-only season~~. The second free antlerless-deer-only license shall be valid only for the January antlerless-deer-only season and will be available only if a portion of the farm unit lies within a county where paid antlerless-deer-only licenses are available during that season. Each reduced-fee antlerless-deer-only license shall be valid for one of the following seasons: youth/disabled hunter season (if eligible), bow season, early muzzleloader season, late muzzleloader season, first and second regular gun seasons, ~~November antlerless-deer-only season~~ or January antlerless-deer-only season. January antlerless-deer-only licenses will be available only if a portion of the farm unit is located in a county where paid antlerless-deer-only licenses are available in that season.

ITEM 3. Rescind and reserve subrule **106.2(4)**.

ITEM 4. Amend subrule 106.2(5) as follows:

106.2(5) *January antlerless-deer-only season.* Antlerless deer may be taken from January 11 through the ~~third~~ second following Sunday.

ITEM 5. Rescind and reserve subrule **106.4(4)**.

ITEM 6. Amend paragraph **106.6(2)“b”** as follows:

b. No one may obtain paid licenses for both the first regular gun season and second regular gun season regardless of whether the licenses are valid for any deer or antlerless deer only. Paid antlerless-deer-only licenses for the early muzzleloader season may only be purchased by hunters who have already purchased one of the 7,500 paid statewide any-deer licenses. Hunters who purchase one of the 7,500 paid statewide any-deer licenses for the early muzzleloader season may not obtain paid antlerless licenses for the first or second regular gun season.

ITEM 7. Rescind and reserve subrule **106.6(3)**.

ITEM 8. Amend subrule 106.6(4) as follows:

106.6(4) *January antlerless-deer-only licenses.* Antlerless-deer-only licenses for the January antlerless-deer-only season shall be available in the following counties: Adair, Adams, ~~Allamakee~~, Appanoose, Cass, Clarke, ~~Clayton~~, Dallas, Davis, Decatur, Des Moines, ~~Fayette~~, Fremont, Guthrie, Harrison, Henry, Jasper, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monona, Monroe, Montgomery, Page, Polk, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, ~~Winnebago~~, and Woodbury. Beginning December 15, an unlimited number of paid antlerless-deer-only licenses may be purchased for the January antlerless-deer-only season. These licenses may be obtained regardless of any other paid any-deer or paid antlerless-deer-only licenses that may have been obtained.

ITEM 9. Amend subrule 106.6(6) as follows:

106.6(6) *Antlerless-deer-only licenses.* Paid antlerless-deer-only licenses will be available by county as follows:

<u>County</u>	<u>Quota</u>	<u>County</u>	<u>Quota</u>	<u>County</u>	<u>Quota</u>
Adair	2400	Floyd	0	Monona	2500
Adams	1950	Franklin	0	Monroe	3000
Allamakee	4500	Fremont	1500	Montgomery	1300
Appanoose	3300	Greene	150	Muscatine	1700 <u>1175</u>
Audubon	100	Grundy	0	O'Brien	0
Benton	1000 <u>650</u>	Guthrie	3300	Osceola	0
Black Hawk	0	Hamilton	100	Page	1800
Boone	650	Hancock	0	Palo Alto	0
Bremer	700 <u>1000</u>	Hardin	200	Plymouth	100
Buchanan	250	Harrison	2500	Pocahontas	0
Buena Vista	0	Henry	2000 <u>1025</u>	Polk	1500
Butler	0	Howard	350	Pottawattamie	2100
Calhoun	0	Humboldt	0	Poweshiek	650 <u>500</u>
Carroll	100	Ida	0	Ringgold	2600
Cass	1300	Iowa	1200 <u>775</u>	Sac	0
Cedar	1300 <u>1025</u>	Jackson	1800 <u>1250</u>	Scott	800 <u>500</u>
Cerro Gordo	0	Jasper	1700	Shelby	400
Cherokee	0	Jefferson	2150	Sioux	0
Chickasaw	450	Johnson	2000 <u>1400</u>	Story	500
Clarke	2500	Jones	1500 <u>975</u>	Tama	650 <u>500</u>
Clay	0	Keokuk	1900	Taylor	2650
Clayton	5800 <u>3200</u>	Kossuth	0	Union	2100
Clinton	1200 <u>825</u>	Lee	2500 <u>1400</u>	Van Buren	5400
Crawford	300	Linn	1900 <u>1300</u>	Wapello	2150
Dallas	2700	Louisa	1500 <u>850</u>	Warren	4200
Davis	3600	Lucas	2800	Washington	2250
Decatur	2800	Lyon	0	Wayne	3000
Delaware	1550 <u>975</u>	Madison	4000	Webster	100
Des Moines	2000 <u>900</u>	Mahaska	1350	Winnebago	0
Dickinson	0	Marion	2250	Winneshiek	3500
Dubuque	2000 <u>1375</u>	Marshall	500	Woodbury	2500
Emmet	0	Mills	1350	Worth	0
Fayette	2500 <u>1650</u>	Mitchell	0	Wright	0

ITEM 10. Rescind and reserve subrule **106.7(4)**.

ITEM 11. Amend rule 571—106.9(481A) as follows:

571—106.9(481A) Transportation tag. A transportation tag bearing the license number of the licensee, year of issuance, and date of kill properly shown shall be visibly attached to one leg of each antlerless deer or on the main beam between two points, if present, on one of the antlers of an antlered deer in such a manner that the tag cannot be removed without mutilating or destroying the tag. This tag shall be attached to the carcass of the deer within 15 minutes of the time the deer carcass is located after being taken or before the carcass is moved to be transported by any means from the place where the deer was taken, whichever occurs first. No person shall tag a deer with a transportation tag issued to another person or with a tag that was purchased after the deer was taken. During the youth/disabled hunter season, bow season, early muzzleloader season and late muzzleloader season, the hunter who killed the

deer must tag the deer by using the transportation tag issued in that person's name. During the first and second regular gun seasons and the ~~November and January antlerless-deer-only seasons~~ season, anyone present in the hunting party may tag a deer with a tag issued in that person's name. This tag shall be proof of possession and shall remain affixed to the carcass until such time as the animal is processed for consumption. The head, and antlers if any, shall remain attached to the deer while being transported by any means whatsoever from the place where taken to the processor or commercial preservation facility or until the deer has been processed for consumption.

ITEM 12. Amend **571—Chapter 106**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.8, 483A.8B, 483A.8C, 483A.24, and 483A.24B and ~~2009 Iowa Acts, Senate File 187.~~

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